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CRIMINAL PROCEDURE

SUPPLEMENTARY CASEBOOK

WINTER 2006

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CRIMINAL PROCEDURE
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SYLLABUS

MICHAEL CODE

REQUIRED READING MATERIAL:

(i) Tremeear's 2006 *Criminal Code* (or any other current *Criminal Code*)

(ii) Delisle & Stuart, Learning Canadian Criminal Procedure, 7th Ed. 2003, Carswell

(iii) Code, Supplementary Casebook, Winter 2006

I. JURISDICTION

(i) Courts and Classification of Offences

Criminal Code, ss.468-473 and s.785

Delisle & Stuart: pp.1-7

Code Supplement:
- Mewett, Introduction to the Criminal Process 1

(ii) Time Limitations: Trial within a reasonable time

Criminal Code, s.786

Charter, s.11(b) and s.7

Delisle & Stuart: pp.8-40

Code Supplement:
- *Smith v. The Queen* (1989), 73 C.R. (3d) 1 (S.C.C.) 7
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- *Collins and Pelfrey v. The Queen* (1995), 99 C.C.C. (3d) 385 (S.C.C.).....41

(iii) Territorial jurisdiction, jurisdiction over the person and offence, loss of jurisdiction

Criminal Code, s.7, ss.468-470, ss.475-479, s.485, s. 537(1) j & k, s.544, and s.650

Charter, s.7 and s.14

Delisle & Stuart, pp.41-48

Code Supplement:
- *R.v. McMorris and Francis* (1971), 4 C.C.C. (2d) 268 (Ont.Dist.Ct.) 47
- *R. v. Liesmer; R. v. MacDougall*, April 19, 1990 (Ont.Prov. Ct.) 49
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(iv) Change of Venue

Criminal Code, s.599

Delisle & Stuart: pp. 49-54

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- *R. v. Talbot* (1977), 38 C.C.C. (2d) 555 (Ont.H.C.J.).....151

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Charter, s.8

Delisle & Stuart, pp.59-64, 72-82 and 129-195

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Charter, s.9

Delisle & Stuart: pp. 217-273

Code Supplement:

- *Ladouceur v. The Queen* (1990), 56 C.C.C. (3d) 22 (S.C.C.) 343
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- *Grdic v. The Queen* (1985), 19 C.C.C. (3d) 289 (S.C.C.) 516
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